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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Sixth session

SUMMARY RECORD OF THE 25th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 12 December 1991, at 3.00 p.m.

Chairman: Mr. ALSTON

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The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS (agenda item 7)

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (continued)

Colombia (E/1990/7/Add.4, E/1989/5/Add.3, E/C.12/WG/1991/CRP.8 and E/C.12/1991/WP.7) (continued)

1. The CHAIRMAN invited Mr. Fofana to submit the draft concluding observations he had prepared on the report of Colombia.

2. Mr. FOFANA read out a slightly amended version of the concluding observations contained in document E/C.12/1991/WP.7, from which, inter alia, he now proposed deleting a section beginning with the words "its campaign against ..." in the third paragraph and ending with the words "... members of the magistrature", at the end of subparagraph (b). He also drew attention to a translation error in the penultimate paragraph of the Spanish version of the document.

3. Mr. SIMMA felt that the passage which Mr. Fofana had proposed deleting added substance to the text. He was thus reluctant to see it deleted.

4. Mrs. BONOAN-DANDAM proposed that the paragraph relating to teachers' pay should be amended so as to read: "The Committee was concerned at the difference in teachers' pay at private and public teaching institutions. Teachers in the private sector played a key role in giving effect to the right to education and yet they were much less well off than their counterparts in the public institutions."

5. Mrs. JIMENEZ BUTRAGUEÑO said that the word docente should be plural, not singular, in the Spanish text.

6. Mr. WIMER ZAMBRANO said that the word maestro was, in any case, more appropriate.

7. Mrs. BONOAN-DANDAM noted that the word "sex" frequently occurred in the Committee's documents in contexts where the trend in other bodies would be to use the word "gender". She asked for clarification of the Committee's position regarding the use of the two words.

8. The CHAIRMAN said that the historical explanation of the Committee's practice was that the word "sex" had been used when drafting the Covenant. Perhaps the time had come to reflect the more modern practice in that regard. The Committee would take note of the issue.

9. Drawing attention to the sentence in the final paragraph of the draft relating to the cocaine traffic, he pointed out that concluding observations should focus as clearly as possible on the precise terms of the Covenant, and wondered what mandate the Committee had to make such recommendations to Governments under articles 13 to 15 of the Covenant. Perhaps it would be better to omit the sentence.

10. Mr. NENEMAN concurred with the Chairman's suggestion. The Committee had, after all, been considering the questions of education and culture. Perhaps it would be better to play down the issue of drug trafficking.

11. Mr. SIMMA supported the proposal to delete the sentence referring to the cocaine traffic. He also expressed concern that the sentence "It considers that the drafting of all texts giving effect to constitutional provisions needs to be monitored." did not adequately reflect the concern raised by Mr. Alvarez Vita with the Colombian delegation. It would be unwise for the Committee to attempt to "grade" national constitutions.

12. Mr. WIMER ZAMBRANO wholly concurred with Mr. Simma. The Committee had no competence to criticise the constitutional structures of States parties. The sentence should be deleted.

13. The CHAIRMAN noted that there was strong support for the deletion of the second and third sentences of the final paragraph of the draft. He said that, if there was no objection, he would take it that those two sentences should be deleted.

14. It was so decided.

15. The draft concluding observations contained in document E/C.12/1991/WP.7, as amended, were adopted.

REPORT OF THE COMMITTEE TO THE ECONOMIC AND SOCIAL COUNCIL (agenda item 11) (E/C.12/1991/CRP.1 and Add.1-10, E/C.12/1991/CRP.2 and Add. 1-2, E/C.12/1991/CRP.3 and Add.1, E/C.12/1991/CRP.4) (continued)

E/C.12/1991/CRP.3; E/C.12/1991/CRP.3/Add.1

16. The CHAIRMAN invited the Committee to resume its consideration of the note by the Chairman (E/C.12/1991/CRP.3) and of the comments by Mr. Wimer Zambrano on the note by the Chairman (E/C.12/1991/CRP.3/Add.1), regarding issues to be taken into account in formulating concluding observations.

17. Mr. NENEMAN thought that both documents had good features, and that the best course would be to attempt to merge them into a consolidated document, a task which their principal authors could perhaps undertake.

18. The CHAIRMAN doubted that Mr. Neneman's suggestion was feasible.

19. Mr. WIMER ZAMBRANO stressed that the comments drafted by the Spanish-speaking members of the Committee (E/C.12/1991/CRP.3/Add.1) differed in substance, not merely in form, from the proposals contained in the note by the Chairman (E/C.12/1991/CRP.3). They reflected his view that the Committee had little or no impact on the outside world because it was not sufficiently forceful or categorical in its affirmations.

20. The CHAIRMAN felt that the final objectives of the two documents were virtually the same; the difference was that Mr. Wimer Zambrano's spoke in

black and white terms of a satisfactory or unsatisfactory performance, whereas his own approach was more nuanced. It was for the Committee to decide which approach it preferred.

21. Mrs. JIMENEZ BUTRAGUEÑO thought that it should be possible to produce a single document combining the best features of each of the documents under consideration. She favoured clearly stating whether a State party's performance was satisfactory or unsatisfactory.

22. Mr. WIMER ZAMBRANO was not opposed to introducing various shades of grey into any final text adopted; but he insisted that the words "satisfactory" and "unsatisfactory" must appear therein.

23. Mr. SIMMA, supported by Mr. BADAWI and Mr. NENEMAN, favoured the Chairman's approach, which, he said, allowed for greater subtlety, and gave the Committee greater scope, without ruling out the possibility of stating that performance was unsatisfactory, should such be the case.

24. The CHAIRMAN pointed out that, some years earlier, the Committee on the Elimination of Racial Discrimination had experimented with the approach of declaring reports to be satisfactory or unsatisfactory. That approach had been attacked in the General Assembly, and the Committee itself had finally deemed it unworkable.

25. Mrs. IDER also favoured a more subtle approach. The decision whether a report was satisfactory or unsatisfactory was a subjective one. It must also be borne in mind that the quality of countries' reports would differ according to their levels of development. Different countries needed different approaches, and a less categorical approach would also facilitate cooperation with Governments of States parties.

26. Mr. MRATCHKOV (Rapporteur) was in favour of a more detailed and more flexible text. Circumstances differed so much from country to country that the Committee could not simply say that performance was either satisfactory or unsatisfactory. The Chairman's approach gave the Committee more room for manoeuvre, and greater scope for a proper assessment of the situations in different countries.

27. Mr. KOUZNETSOV endorsed Mr. Mratchkov's view.

28. Mr. WIMER ZAMBRANO said he had no objection to introducing shades of grey in the Committee's assessment of the reports. The point at issue, however, was not style but substance. The Committee's task was to monitor compliance by States parties with the Covenant. The concluding observations should be firm and clear, using a language that everyone understood, so that the Committee's views could be widely reported. That would improve the Committee's standing in the United Nations, where its activities were not well known. It was essential to use the words "satisfactory" or "unsatisfactory".

29. The CHAIRMAN said he agreed with Mr. Wimer Zambrano that the Committee must retain the option of reaching strong conclusions in appropriate cases,

including the use of the word "unsatisfactory". The draft guideline in document E/C.12/1991/CRP.3 were intended principally for internal use to assist members in reaching their conclusions.

30. Mr. SPARSIS said that he had for many years monitored the reports from Cyprus to the International Labour Organisation. He would be at a loss to know whether the word "inadequate" or "unsatisfactory" was the harsher comment. He thought that the Committee should be subtle rather than categorical in its assessments, but that its remarks should be specific, clear and straightforward: both style and substance were involved. He suggested that the authors of the two papers should hold a discussion with a view to formulating a common draft.

31. Mr. SIMMA suggested that the first point in document E/C.12/1991/CRP.3 might be amended to read: "An assessment of whether or to what extent the written report can be considered satisfactory ..." and the second point to read: "An assessment of whether the responses provided to written questions can be considered satisfactory ...". Points 3 to 5 could be retained as they stood.

32. Mr. KONATE recalled that the purpose of the guidelines was to assist States parties in preparing their reports. Points 1 and 2 seemed to prejudge the issue. He did not think that a report which was not in accordance with the guidelines was on that score alone necessarily unsatisfactory. Compliance with the guidelines was one component to be taken into account in the final assessment of the report; the matter of adequate responses to written questions was another component. The Committee should make it clear in what way the State party had given the Committee grounds for dissatisfaction.

33. Mr. WIMER ZAMBRANO endorsed Mr. Konate's views. He also agreed with Mr. Sparsis that it was desirable for the authors of the two papers to endeavour to produce a common draft. It was not a matter of using the word "satisfactory", but rather of using the word "unsatisfactory" occasionally in extreme cases. At the same time, the Committee must be realistic: if there was a state of war or civil war in the country submitting a report, the Committee must take account of that fact.

34. Mrs. BONOAN-DANDAM noted that in drafting concluding observations on the report of Spain, she had found the guidelines helpful in assisting her to focus on the substantive issues. The Committee's views on the adequacy or inadequacy of reports must be couched in more elegant language.

35. Mrs. JIMENEZ BUTRAGUEÑO said that the guidelines would assist members of the Committee in assessing country reports.

36. Mr. MRATCHOV (Rapporteur), noted that the Committee had not had much difficulty in formulating concluding observations on the reports it had considered at the current session. He suggested that members should keep both drafts as informal papers and use them as circumstances dictated. He felt that the Committee had reached a result which would assist its future work.

37. The CHAIRMAN said if there was no objection, he would take it that the Committee did not wish to adopt revised guidelines for inclusion in Chapter III of the report.

38. It was so decided.

E/C.12/1991/CRP.1

Paragraphs 1-15

39. Paragraphs 1-15 were adopted.

Paragraph 16

40. Mr. NENEMAN drew attention to the fact that the pre-sessional working group had been scheduled to meet in September.

41. Mr. SIMMA expressed surprise at that date in view of the fact that the Committee had repeatedly expressed the wish to have the meeting of the pre-sessional working group rescheduled for the spring or early summer.

42. Mr. HOUSHMAND (Representative of the Secretary-General) explained that the date contained in paragraph 16 was that scheduled in the Calendar of Conferences and Meetings already approved by the General Assembly for 1992. It reflected an earlier decision by the Committee that the pre-sessional working group should meet one or two months prior to the Committee's regular session. That recommendation had been approved by the Economic and Social Council and accordingly it had been used in the preparation of the 1992 Calendar of Conferences and Meetings. The recommendation by the Committee, to the effect that the pre-sessional working group should meet earlier in the year, had not yet been submitted to the Economic and Social Council or approved by it. The recommendation would also have to be coordinated by Conference Service to see whether the necessary services would be available during the month of June.

43. The CHAIRMAN said he took it that the Committee wished to refer to its request for an earlier date. He therefore suggested that paragraph 16 should be amended to read: "The Committee strongly requested that the meeting of the pre-sessional working group should be scheduled for some date between May and July". He was confident that the Conference Services would be able to accommodate a small meeting during that period.

44. Paragraph 16, as amended, was adopted.

Section I

45. Mr. MRATCHOV (Rapporteur) proposed that there should be a new Section I dealing with the reports of States parties to be considered by the Committee at its seventh session. He recalled that on 5 December 1991 the Committee had decided to take up the reports in the order in which they had been received by the Secretary-General, namely Nicaragua, Belarus, the Czech and Slovak Federal Republic, Norway, the USSR, Poland and Italy.

46. It was so decided.

Section J

47. Mr. MRATCHOV (Rapporteur) proposed that there should be a new Section J giving the names of the members of the pre-sessional working group for the seventh session, together with the date of the meeting on which they had been appointed.

48. It was so decided.

49. Document E/C.12/1991/CRP.1, as amended, was adopted.

E/C.12/1991/CRP.1/Add.1

Paragraphs 1-4

50. Paragraphs 1-4 were adopted.

Paragraph 5

51. Mrs. JIMENEZ BUTRAGUEÑO said that the word tripartidismo in the second line of the Spanish text had political connotations, whereas the Committee's question had related to trade union affairs. The word used by the International Labour Organisation was "tripartite".

52. Mr. MRATCHOV (Rapporteur) wondered whether the use of the word "tripartite" in the report was correct, since it was not used in the Covenant. He would prefer a reference to participation by Governments, trade unions and employers in the solution of economic problems.

53. The CHAIRMAN said that the report, based on the summary records, had repeated the words used in the Committee's discussion. The expression "tripartism" should therefore be retained and should be correctly reflected in the Spanish text.

54. Paragraph 5 was adopted.

Paragraphs 6-11

55. Paragraphs 6-11 were adopted.

Paragraph 12

56. Mr. SIMMA said that he was not happy with the somewhat surprising statement in paragraph 12 that "wives were faithful to their husbands in both prosperity and adversity" and suggested that it be deleted.

57. Mrs. BONOAN-DANDAM asked for a clarification of the meaning of the last sentence of paragraph 12 which seemed rather inapposite.

58. Mr. SIMMA said that the sentence reflected the reply given by the representative of Afghanistan to a specific question put by the Committee. As it was an indication of Afghanistan's position on the exercise of fundamental human rights, it would be more appropriate to include it in the general part

of chapter IV, and to insert the question he had asked, which had concerned the degree to which constitutional freedoms could be limited in Afghanistan, into paragraph 4.

59. Paragraph 12, as amended, was adopted.

Paragraphs 13-25

60. Paragraphs 13-25 were adopted.

Paragraph 26

61. Mr. SIMMA suggested replacing the adjective "illegitimate" in the third line by the expression "born out of wedlock".

62. Paragraph 26, as amended, was adopted.

Paragraph 27

63. Mrs. JIMENEZ BUTRAGUEÑO said that the word extendida in the Spanish text should be replaced by extensa which was the appropriate sociological term.

64. Paragraph 27, as amended, was adopted.

Paragraph 28

65. Mr. SIMMA said that the expression "modest wage earners" should be replaced by "low-income groups".

66. Paragraph 28, as amended, was adopted.

Paragraphs 29 and 30

67. Paragraphs 29 and 30 were adopted.

Paragraph 31

68. Mr. SIMMA said that as far as he could recollect, the question put by the Committee had not concerned the impact of long-standing cultural traditions on social diseases, but had specifically focused on the question of female circumcision and other traditional practices and the absence of any efforts by the Government to combat them. The paragraph should be amended in order accurately to reflect the Committee's preoccupation.

69. Mrs. BONOAN-DANDAM suggested the following new wording for paragraph 31: "In addition, members of the Committee asked whether long-standing cultural practices that are discriminatory and which violate human dignity such as female circumcision still exist and if so what was the Government doing about them. They also asked regarding the incidence of AIDS and whether there were any programmes for dealing with that disease".

70. Mr. KONATE suggested that the paragraph should employ the terminology used in respect of female circumcision, by the Working Group and that the

words "traditional practices that are discriminatory" should be replaced by the words "traditional practices affecting the health of women and children". The practice of circumcision itself was not discriminatory, as it affected both men and women.

71. The CHAIRMAN said that the wording adopted by Mrs. Bonoan-Dandam was intended to reflect the precise question she had herself put. He suggested that adoption of the final wording for paragraph 31 should be postponed until the following day.

72. It was so decided

Paragraph 32

73. Mr. KONATE said that as paragraph 32 constituted a reply to paragraph 31, it would also need to be amended.

74. Mr. SIMMA clearly recollected that the question on female circumcision had not been answered by the representative of Afghanistan, in view of which there would be no need to amend paragraph 32.

75. Mrs. JIMENEZ BUTRAGUEÑO expressed her conviction of the importance of the issue of female circumcision and emphasized the need to mention the matter in the Committee's concluding observations on Afghanistan.

76. The CHAIRMAN replied that it would be difficult to alter the concluding observations as they had already been adopted. However, if they had not already been given to the Afghan delegation, it might be possible to amend them in order to take her concern into account.

77. Paragraph 32 was adopted.

Paragraph 33

78. Mr. SIMMA said that the word "sex" should be replaced by "gender" in accordance with current usage.

79. Mr. KONATE could see no objection to the word "sex" which was employed in all international human rights instruments. In addition, he asked how "gender" would be translated into French and Spanish.

80. Mr. NENEMAN said that as the text of the Covenant employed the word "sex" it would be dangerous to introduce a new term, and he was in favour of preserving the word "sex".

81. The CHAIRMAN said that the word "sex" had become outmoded in English usage and had been replaced by the term "gender" which the Committee should adopt in its practice. The words sexe and sexo would be used in the French and Spanish versions.

82. Paragraph 33, as amended, was adopted.

Paragraphs 34-37

83. Paragraphs 34-37 were adopted.

Paragraph 38

84. Mr. SIMMA said that the word "it" in the third line should be replaced by "they".

85. Mrs. JIMENEZ BUTRAGUEÑO said that the word indebidamente in the third line of the Spanish text should be replaced by excesivamente.

86. Paragraph 38, as amended, was adopted.

Paragraph 39

87. Mr. SIMMA said that the first sentence of paragraph 39 was ungrammatical. The semi-colon after the word "ratification" should be replaced by a full stop, and the word "and" after the semi-colon should be replaced by the words "The Committee". He also suggested that Mrs. Bonoan-Dandam might like to consider whether the phrasing of the new second sentence adequately reflected the Committee's concern with traditional practices. Finally, the word "interest" in the last sentence of the paragraph was inappropriate and should be replaced by "concern".

88. Mr. KONATE said that in the fourth line of the paragraph it would be more appropriate to refer to Afghan law rather than to Islamic law, as he was unaware of any particular provision of Islamic law that was contrary to the Covenant. The provisions in question were undoubtedly attributable to Afghanistan's interpretation of Islamic law and could not be ascribed to Islam as a whole.

89. Mr. KOUZNETSOV said that he recalled that the Committee had been concerned with the consequences of traditional Islamic practices on equality between women and men. In point of fact, the Committee had perhaps a better knowledge of Islamic law than of Afghan law.

90. The CHAIRMAN suggested replacing the word "Islamic" by "Islamic law as applied in Afghanistan".

91. Mr. KONATE was unable to accept a wording which in fact reflected an unfounded value judgement by the Committee. The practices in question were ancestral customs, and there was nothing to establish that they were attributable to Islamic law.

92. Mrs. JIMENEZ BUTRAGUEÑO said that there were in fact two points at issue: the first concerned the repercussions of Islamic law on equality between women and men in a wide range of spheres, and the second concerned the specific question of female circumcision, which undoubtedly constituted a violation of human dignity and freedom. The practice was unquestionably discriminatory as the objectives of male and female circumcision were quite distinct: unlike female circumcision, male circumcision was in no way intended to restrict sexual activity.

93. The CHAIRMAN said that the question of female circumcision had been discussed at length within the United Nations and the position adopted coincided with that expressed by Mrs. Jimenez Butragueño. However, it was not clear that the practice was synonymous with Islam or whether it had any foundation in the Islamic faith, despite its frequent occurrence in Islamic countries. It was important not to equate female circumcision with Islam, and clearly to distinguish between what constituted traditional practice and what was specifically attributable to Islam.

94. Mrs. BONOAN-DANDAM said that the provisions referred to in paragraph 39 were those relating to marriage, which had been discussed at length by the Committee. The most salient issue had been the requirement for a woman to provide a dowry for her husband and to pay him in case of divorce. In her view, the question of female circumcision was not at issue in that particular paragraph. The term "Islamic law" had been used by the representative of Afghanistan himself, as was reflected in paragraph 12 of the document under consideration.

95. Mr. KONATE said that he was familiar with Islamic law, and that paragraph 12 in fact referred to the protection afforded by it to women. The problem to which the Committee was referring was attributable to traditional practice and not to Islam, and he urged the Committee to exercise caution in its judgements.

96. Mr. SIMMA said he understood that the words "some provisions of Islamic law" referred to the statement by the representative of Afghanistan, quoted in the last sentence of paragraph 27, from which it clearly emerged that there was inequality between the sexes in matters of inheritance under Islamic law. The question of female circumcision would come under "ancestral customs" which, it had been made clear, predated Islam.

97. Mr. KONATE reiterated his strong reservations about any general reference to provisions of Islamic law.

98. Mr. MARCHAN ROMERO suggested that the sentence in question might begin "Members of the Committee" rather than "The Committee" in order to take account of Mr. Konate's concerns.

99. The CHAIRMAN asked whether the amendment he had proposed was acceptable to the Committee, on the understanding that Mr. Konate's reservations would be clearly reflected in the summary records.

100. Mr. KONATE said that he held to his conviction that the Committee could not give an opinion about provisions of Islamic law with which it was not familiar. From his own knowledge of that law he could affirm that there was some diversity of interpretation, even in Islam. He did not feel that the opinion of a member who had the benefit of some experience in the matter should be ignored in the body of the report.

101. Mr. SPARSIS said he believed that the wording of the draft text was correct, since it was stated that the Committee had "noted", as indeed it had done and whether rightly or wrongly, that some provisions of Islamic law might

impede application of the article. He wondered whether there was some precedent in other committees for recording a member's reservations.

102. Mr. WIMER ZAMBRANO suggested that, since it had been the Afghan delegation which had spoken of Islamic law, Mr. Konate's concerns might be met by adding the words "as mentioned by the delegation of Afghanistan" after the words "Islamic law".

103. The CHAIRMAN endorsed that comment, suggesting that, in order to make it clear that there was no inference for Islam in general, the part of the sentence in question might read "some provisions of Islamic law as applied in Afghanistan and as expressly indicated by the Vice-Minister for Justice".

104. Mr. KONATE objected to the general term "some provisions", since the interpretation given by the representative of Afghanistan had related to the specific question of inheritance only.

105. The CHAIRMAN proposed that the beginning of the sentence should read: "The Committee noted that, in relation to matters of inheritance, the relevant provisions of Islamic law as cited by the representative of Afghanistan might impede full application ...".

106. Mr. KONATE said that he wished it to be made clear that there was an element of interpretation involved, and proposed that the first part of the sentence should read: "The Committee noted that the interpretation of Islamic law given by the representative of Afghanistan in relation to inheritance might ...".

107. The CHAIRMAN noted that that wording was acceptable to the Committee.

108. Mr. SPARSIS said that the words "had given" in the first line of the paragraph should be changed to "gave".

109. Paragraph 39, as amended, was adopted.

Paragraph 40

110. The CHAIRMAN suggested that the Committee might wish to be more specific about the additional information it was requesting by adding the words "in writing before its next session" after "additional information".

111. Paragraph 40, as amended, was adopted.

112. The CHAIRMAN said he took it that the Committee wished to adopt document E/C.12/1991/CRP.1/Add.1 as a whole, as amended, subject to agreement on the amended wording of paragraph 31 to be drafted by the Rapporteur.

113. Document E/C.12/1991/CRP.1/Add.1, as amended, was adopted.

E/C.12/1991/CRP.1/Add.4

Paragraphs 1-24

114. Paragraphs 1-24 were adopted.

Paragraph 25

115. Mr. NENEMAN pointed out that the phrase "the failure to issue necessary certificates" was insufficiently clear in the context.

116. The CHAIRMAN suggested deleting the comma after the words "insufficient financial support" and replacing the next phrase by "and the failure of the government authorities to authorize the necessary certificates,".

117. Paragraph 25, as amended, was adopted.

Paragraph 26

118. Mrs. JIMENEZ-BUTRAGUEÑO pointed out that in the first sentence of the paragraph in the Spanish text the correct term was not impedidos but minusválidos.

119. The CHAIRMAN pointed out that in paragraph 26 and indeed elsewhere in the Committee's concluding observations, any reference to "members" of the Committee should be changed to "the Committee" for reasons of consistency.

120. Paragraph 26, as amended, was adopted.

Paragraph 27

121. Paragraph 27 was adopted.

122. Document E/C.12/1991/CRP.1/Add.4, as amended, was adopted.

E/C.12/1991/CRP.1/Add.5

Paragraphs 1-5

123. Paragraphs 1-5 were adopted.

Paragraph 6

124. The CHAIRMAN said that over-lengthy paragraphs, such as paragraphs 6 and 10, should be split into more than one paragraph, as appropriate, by the Secretariat.

125. Paragraph 6 was adopted.

Paragraphs 7-12

126. Paragraphs 7-12 were adopted.

Paragraph 13

127. Mr. SIMMA suggested that the word "country" at the end of the first sentence should be replaced by "works of art".

128. The CHAIRMAN pointed out that the word "culture" would be more appropriate than "works of art".

129. Paragraph 13, as amended, was adopted.

Paragraph 14

130. Mrs. JIMENEZ-BUTRAGUEÑO said that in the Spanish text, the words educación libre should be changed to educación gratuita in the fourth sentence, and escogimiento to elección in the fifth sentence.

131. The CHAIRMAN said that the Spanish version would be amended accordingly.

132. Mrs. IDER suggested that the fourth sentence should be reworded to read: "The right to culture and education, in particular the provision of free education, had been guaranteed within the financial possibilities of the State", or, alternatively: "The right to culture and education, in particular the provision of free education, had been guaranteed for citizens."

133. The CHAIRMAN pointed out that the proposed amendment would indicate that the Committee had concluded that the right to culture and education in the Democratic People's Republic of Korea had been guaranteed for citizens.

134. Mr. KONATE thought that such a conclusion should be avoided, since the Covenant itself recognized that guaranteeing the right to culture and education was an ongoing process; moreover, such a statement would contradict the Committee's other conclusions on the report. He would suggest wording to the effect that the Committee had noted the great efforts made, despite economic difficulties, to implement the right to education and culture.

135. The CHAIRMAN said that the conclusion was an important one. The Committee was dealing, on the one hand, with the provision of free education and, on the other, with the full enjoyment of the right to education and culture, and he doubted that it had reached the same conclusion on the two issues. The matter should be discussed fully at the following meeting.

The meeting rose at 6.05 p.m.